

Message Text

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ACTION L-02

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EO 11652: N/A

TAGS: CI, PFOR, SOCI

SUBJECT: CHILEAN ICJ REPRESENTATIVE RESIGNS IN PROTEST

REF: A) SANTIAGO 7115; B) SANTIAGO 6542

1. SUMMARY: CHILEAN INTERNATIONAL COMMISSION OF JURISTS (ICJ) REPRESENTATIVE RESIGNS IN PROTEST OVER ICJ CHARGES AGAINST CHILE, CONCERNING CAMPS FOR CHILDREN AND CHARGES AND COUNTER-CHARGES CONTINUE OVER EARLIER ICJ REPORT ON HUMAN RIGHTS VIOLATIONS IN CHILE. END SUMMARY.

2. IN RESPONSE TO INTERNATIONAL COMMISSION JURISTS SECRETARY GENERAL NIALL MAC DERMOT'S TESTIMONY BEFORE US HOUSE OF REPS NOV 19 (REFTEL A), CHILEAN ICJ REP OSVALDO ILLANES BENITEZ RESIGNED HIS POSITION ON NOV 26. ILLANES, FORMER PRES CHILEAN SUPREME COURT AND PRESENTLY PROF OF LAW, SENT OPEN LETTER TO MAC DERMOT WHICH WAS REPRODUCED IN FULL IN EL MERCURIO NOV 28.

3. ILLANES LETTER REJECTS MAC DERMOT'S CLAIM THAT GOC HAS OR HAD PLANS TO TAKE 600,000 CHILDREN OF ALLENDE SUPPORTERS INTO SPECIAL "PURIFICATION" CAMPS, AND CALLS CHARGE ABSOLUTELY FALSE AND RESULT OF "INEXPLICABLE INCOMPREHENSION" ON ICJS
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PART. ILLANES SAYS IN EFFECT THAT HE HAS BEEN TELLING MAC

DERMOT FACTS (PRO-JUNTA) OF LIFE IN CHILE SINCE COUP, BUT ICJ REFUSES BELIEVE HIM. ALSO NOTES THAT ICJ DID NOT EVEN CHECK "600,000 CHILDREN" STORY WITH HIM BEFORE MAKING CHARGE.

4. MERCURIO NOV 28 ALSO CARRIED FULL TEXTS EXCHANGE OF LETTERS BETWEEN MAC DERMOT OF ICJ AND SERGIO DIEZ, CHILEAN DELEGATE TO UN. MAC DERMOT LETTER DATED OCT 29 WAS ADDRESSED TO DIEZ'S SPEECH IN UN THIRD COMMITTEE ON OCT 16, IN WHICH DIEZ CRITICIZED ICJ REPORT ON CHILE. MAC DERMOT DEFENDED ACCURACY OF ICJ REPORT AND POINTED OUT SUPPOSED WEAKNESSES OF DIEZ ATTACK ON IT. DIEZ RETURN LETTER (UNDATED) IS LONG RECITATION CITING JUNTA DECREE LAWS AND PROPER INTERPRETATION THEREOF TO REFUTE ICJ CRITICISMS REGARDING IMPAIRMENT OF RULE OF LAW AND HUMAN RIGHTS IN CHILE. DIEZ NOTED MAC DERMOT'S TENDENCY TO SELECT HIS FACTS, REFERRING TO RECENT MAC DERMOT PRESS COMMUNIQUE ON KILLING OF MIR LEADER MIGUEL ENRIQUEZ BY GOC SECURITY FORCES WHICH ALLEGEDLY MADE NO REFERENCE TO BANK ROBBERY WHICH STIMULATED HUNT FOR ENRIQUEZ AND FINDING OF BANK LOOT IN ENRIQUEZ HIDEOUT.

5. COMMENT: ICJ REPORT OBVIOUSLY CONTINUES TO BE SORE SUBJECT IN CHILE. BUT THE "600,000 CHILDREN" CHARGE WHICH HAS NOT YET BEEN SUBSTANTIATED BY ICJ OR ANYONE ELSE, PROBABLY HAS DAMAGED ICJ PRESTIGE WITH, AND IMPACT ON, ANY SECTORS OF CHILEAN PUBLIC OPINION WHICH MIGHT HAVE BEEN GIVEN PAUSE BY FIRST ICJ REPORT.
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